

## **REMARKS**

This is a response to the non-final Office Action of January 10, 2005 and Notice of Non-Compliance of April 22, 2005. Through this corrected response, claims 8, 11 and 28 are amended as indicated. It is believed that the foregoing amendments and additions add no new matter to the instant application.

In the Office Action, there are objections to claims 8 and 28, rejections to claims 11-20 under 35 U.S.C. §112(2<sup>nd</sup>) and an indication of allowable subject matter for claims 1-7, 9, 10, 21-27, 29 and 30. The Applicant appreciates the Examiner's determination that claims 1-30 would be allowable if claims 11-20 are rewritten to overcome the rejections under 35 U.S.C. §112(2<sup>nd</sup>). The Applicant respectfully requests that there be reconsideration of the claims in view of the Applicant's remarks.

### **Objections to Claims**

Claims 8 and 28 stand objected to, because of informalities. The Applicant respectfully request that the amendment being filed herewith be entered and that there be reconsideration of claims 8 and 28.

### **Rejections Under 35 U.S.C. §112(2<sup>nd</sup>)**

Claims 11-20 stand rejected under 35 U.S.C. §112(2<sup>nd</sup>) as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. The Applicant respectfully request that the amendment being filed herewith be entered and that there be reconsideration of the claims.

With regard to rejected independent claim 11, Applicant respectfully asserts that amendment attached herein resolves the problem with insufficient antecedent basis as described in the office action.

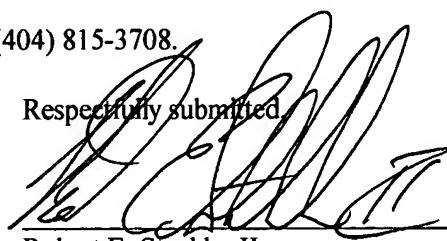
Claims 12-20 are dependent upon claim 11, which are believed to be allowable over the prior art made of record. Therefore, these claims are allowable as a matter of law. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

**Other References Cited in the Action**

In addition to the references applied in the Office Action, it is respectfully submitted that Applicant's invention, as now recited in claims 1-30 is neither anticipated nor rendered obvious by any of the other references cited in the Office Action, either taken alone or in combination.

**CONCLUSION**

Applicant respectfully submits that claims 1-30 are in condition for allowance and such action by the Examiner is earnestly solicited. If the Examiner has any questions, the Examiner is requested to contact Robert E. Stachler II at (404) 815-3708.

Respectfully submitted,  
  
Robert E. Stachler II  
Registration No. 36,934

SMITH, GAMBRELL & RUSSELL, L.L.P.  
Suite 800  
1850 M Street N.W.  
Washington, DC 20036  
(202) 973-2622  
RES 041253—008Cont